

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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EMILY GALLAGHER, SURAJ PATEL, KATHERINE
STABILE, JILLIAN SANTELLA, AARON SEABRIGHT,
JAMES C. MCNAMEE, KRISTIN SAGE ROCKERMAN,
MARIA BARVA, MIRIAM LAZEWATSKY, MYLES
PETERSON, SAMANTHA PINSKY, CHRISTIAN O'TOOLE,
TESS HARKIN, CAITLIN PHUNG, ANTONIO PONTEX-
NUNEZ, *individually, and on behalf of all others similarly
situated,*

Plaintiffs,

MARIA D. KAUFER and ETHAN FELDER,

Intervenor Plaintiffs

v.

NEW YORK STATE BOARD OF ELECTIONS; PETER S.
KOSINSKI, ANDREW SPANO, and DOUGLAS KELLNER,
*individually and in their official capacities as Commissioners of
the New York State Board of Elections;* TODD D.
VALENTINE, ROBERT A. BREHM, *individually and in their
official capacities as Co- Executive Directors of the New York
State Board of Elections; and* ANDREW CUOMO *as Governor
of the State of New York,*

Defendants.

and

NEW YORK CITY BOARD OF ELECTIONS; PATRICIA
ANNE TAYLOR *individually and as President of the New York
City Board of Elections;* and MICHAEL J. RYAN, *individually
and as the Executive Director of the New York City Board of
Elections,*

Intervenor Defendants
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Docket No. 20 Civ.5504
(AT)

**NOTICE OF MOTION
TO INTERVENE AND
FOR PRELIMINARY
INJUNCTIVE RELIEF**

PLEASE TAKE NOTICE that, upon the Proposed Intervenor-Plaintiffs' Complaint and
Exhibit; and Plaintiffs' Memorandum of Law dated July 22, 2020; and all of the prior pleadings

and proceedings had herein, Plaintiffs will move this Court, before the Honorable Analisa Torres, United States District Judge, at the United States Courthouse for the Southern District of New York, located at 500 Pearl Street, New York, New York, 10007, on a date and time that is convenient for the Court, for an Order granting Intervenor-Plaintiffs' Motion to Intervene, and Intervenor Plaintiffs' Motion for A Preliminary Injunction requiring Proposed Defendants in Intervention to count all absentee ballots received by any New York City Board of Elections on or before June 30, 2020 in the 28th Assembly District Part A in Queens County, without regard for any postmark that may or may not be on the ballot; and other relief requested in the complaint.

Dated: New York, New York
July 22, 2020

ADVOCATES FOR JUSTICE
CHARTERED ATTORNEYS
Attorneys for Intervenor Plaintiffs

By: /s/ Arthur Z. Schwartz

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